

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF CLAIMS AND FORMAL MATTERS

Claims 1, 2, 3, 5 and 7 are currently pending in this application. Claims 1 and 5 have been amended and claim 2 is hereby cancelled. New claims 8-12 have been added. No new matter has been introduced by this amendment. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §§102 & 103

Claims 1 and 7 were rejected under 35 U.S.C. § 102(e) as allegedly anticipated by Levine (AI Application US 2004/0033856).

Claim 1 was rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over newly cited reference U.S. Patent No. 6,932,756 to Franchi ("Franchi") in view of Japanese Patent JP 4024298 ("JP '298").

Claim 2 and 5 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Levine in view of Japanese Patent JP 10-292252. Claim 3 was rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Levine in view of U.S. Patent No. 3,263,799 to Bascom.

In paragraph 5 of the Office Action, the Examiner agrees that Levine fails to disclose a singlefacer or doublebacker belt.

Amended claim 1 recites, *inter alia* "...wherein the belt is a singlefacer belt."

Accordingly, claim 1 and those claims dependent thereon are not anticipated by Levine.

As to the remaining rejections based upon Levine, that being the rejection of claims 2, 3 and 5 under 35 U.S.C. §103(a) such rejection should be withdrawn in that Levine is disqualified as a §103 prior art to the present application under the provisions of 35 U.S.C. §103(c). Under the provisions of 35 U.S.C. §103(c), subject matter developed by another person, which qualifies as prior art under one or more of subsections (e), (f) and (g) of 35 U.S.C. §102, shall not preclude patentability under §103 where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person or organization.

Levine and the present application were, at the time the present invention was made, subject to an obligation of assignment to the same organization, i.e., Albany International Corp. Such obligation is evidenced by the recording of assignment documents in the U.S. Patent and Trademark Office in the Levine application and the present application.

Accordingly, Levine is disqualified as prior art in a rejection under 35 U.S.C. §103(a); and thus the §103(a) rejections based upon Levine in the above-noted Office Action should be overcome.

As to the other basis for the rejection of claim 1, neither Franchi nor JP '298, taken either alone or in combination, teach or suggest the above identified feature of claim 1. Specifically, neither Franchi nor JP '298 teach or suggest a singlefacer belt for use on a corrugator machine in the manufacture of corrugated packaging board, as recited in claim 1.

Accordingly, for at least the foregoing reasons, Applicant submits that claim 1 is patentable.

As to amended claim 5 and new claim 8 they provided for a doublebacker and singlefacer or doublebacker belt respectively, as distinct from the references cited.

III. DEPENDENT CLAIMS

Since claims the other claims are each dependent from one of the independent claims discussed above, they are also patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

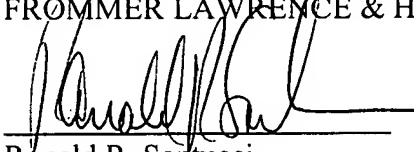
CONCLUSION

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,
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